

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Mikko MAKIPAA et al.**

Serial No.: 10/092,261

Filed: March 7, 2002

For: CREATING A SCREEN SAVER FROM  
DOWNLOADABLE APPLICATIONS ON  
MOBILE DEVICES

Atty. Docket No.: 004770.00042

Group Art Unit: 2173

Examiner: S. Becker

Confirmation No. 9273

**APPEAL BRIEF UNDER 37 CFR § 41.37**

U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street S.  
Customer Window, Mail Stop Appeal Brief-Patents  
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Sir:

This is an appeal brief pursuant to 35 U.S.C. § 134 in support of Appellants' March 15, 2005 notice of appeal. The appeal is taken from the final office action mailed January 25, 2005. The attached fee transmittal sheet authorizes the Commissioner to charge the \$500.00 fee for filing this brief to deposit account no. 19-0733. It is believed that no additional fees are due in connection with this brief. However, if a fee is due, the Commissioner is authorized to charge such a fee to deposit account no. 19-0733.

**I. Real party in interest.**

The owner of this application, and the real party in interest, is Nokia Corporation.

**II. Related appeals and interferences.**

Appellants are unaware of any appeals or interferences related to the subject appeal.

**III. Status of Claims**

Claims 1-37 are pending and are included in the adjoining claims appendix. Claims 1-34 stand finally rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,507,351 to Bixler. Claims

35-37 stand objected to as being dependent upon a rejected base claim, but are indicated as being allowable if rewritten in independent form. Appellants hereby appeal the rejection of pending claims 1-34.

#### **IV. Status of amendments.**

No amendments are pending.

#### **V. Summary of claimed subject matter.**

In referring herein to various portions of the specification and drawings in order to explain the claimed invention, Appellants do not intend to limit the claims; all references to the specification and drawings are illustrative unless otherwise explicitly stated. All references to specific paragraphs refer to the specification as originally filed.

The invention pertains to a computing device that generates screen saver views by executing one or more applications in a screen saver mode. *See* Fig. 1 and para. 5. The invention provides a method (Fig. 5, steps 70-95) and a device (Fig. 2) for starting a screen saver program and for executing an application in a screen saver mode based on instructions from the screen saver program, in which the application is a program independent from the screen saver program and that is fully functional in a full application mode and that is less than fully functional in the screen saver mode. The application creates an image for presentation on the display screen of the device in the screen saver mode.

Unlike conventional devices, one or more other applications independent from a screen saver program are executed in a screen saver mode to create screen saver images. “Thus, a device operating in a screen saver mode according to the present invention is able to perform an unlimited number of functions and to display an unlimited number of display types by executing other applications.” Para. 5, lines 2-4.

Independent claims 1, 14, 24, 29 and 34 are directed to an apparatus (claim 1), to a wireless communication device (claim 14), to a method (claim 24), to computer-readable instructions for performing steps on a device (claim 29), or to a portable device (claim 34). Among other features, the independent claims include subject matter pertaining to executing an application in a screen saver mode. Independent claim 1 recites an apparatus having a processor

that performs the steps of starting a screen saver program and *executing* an application in a screen saver mode *based on* instructions from the screen saver program. Independent claim 14 recites a wireless communication device having a screen saver program stored in memory that, *during operation* of the screen saver program, *selects* an application handle *to execute* an application *for creating images* on the display screen in the screen saver mode. Independent claim 24 recites a method having the step of “selecting the application handle via the screen saver program to execute the application in the screen saver mode.” Independent claim 29 recites a computer readable medium having computer-readable instructions for “executing a respective application in a screen saver mode when selected by the screen saver program.” Independent claim 34 recites a portable device having computer applications stored in memory, a handle for each application executing the respective application in a screen saver mode when the handle is selected, and a screen saver program stored in memory that selects at least one application handle during operation of the screen saver program.

As recited in each of independent claims 1, 14, 24, 29 and 34, the application(s) are independent from the screen saver program, and, as recited in claims 1, 24 and 34, the recited application(s) are fully functional in a full application mode and less than the fully functional in a screen saver mode. *See* paragraph 24. As recited in claim 14, during operation of the screen saver program, the screen saver program selects an application handle for an application, which executes the application in a screen saver mode. *See* paragraph 25. As similarly recited in claims 1, 24, 29 and 34, the application is executed in the screen saver mode based on or via the screen saver program.

The invention provides numerous advantages and features. As one example, a device operating in a screen saver can perform an unlimited number of functions by executing other applications. As another example, the screen saver program can take advantage of functions and settings inherent in the applications that it executes. *See* para. 5. In addition, the screen saver program may take less storage space than conventional screen saver programs and it may be easier to develop. *See id.*

## **VI. Grounds of rejection to be reviewed on appeal.**

The grounds of rejection for review are the rejections of claims 1-34 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,507,351 to Bixler (Bixler).

## **VII. Argument**

### **A. Claim 1**

The final office action mailed January 25, 2005 (the Office Action) contends that Bixler discloses all features of claims 1-34. For any reference to serve as an anticipation of a claimed invention, the reference must teach **each and every** limitation of the claimed invention. *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001). In that regard, Bixler fails to teach or even suggest the recited subject matter of independent claim 1 of *executing an application* in a screen saver mode *based on instructions* from the screen saver program, in which *the application creates an image* for presentation on a display screen in the screen saver mode, and in which the application is a program independent from the screen saver program that is fully functional in a full application mode and that is less than fully functional in a screen saver mode. In addition, the Office Action disregards claim language tying execution of the application in the screen saver mode to the screen saver program, which clearly is not taught by Bixler.

### *The Office Action*

The Office Action reasons that the applications (e.g., email, utility programs, etc.) of Bixler must execute at some time to generate the screen saver data, and, as such, Bixler discloses the apparatus recited in claim 1. In particular, the Office Action states, "the data associated with the other programs would not be available if the program did not execute." Office Action, page 13. The Office Action asserts that no order of operations is specifically claimed. Thus, the Office Action concludes, "the execution of the application programs may occur [prior to the screen saver program being executed,] and then the data may be collected and still meet the claimed invention." Office Action, page 14. In support of this position, the Office Action refers to examples in Bixler relating to the display of email messages while the screen saver is

operating. The Office Action reasons, “in order to be able to retrieve those emails, each [email] application must be accessed/executed; otherwise, new email messages would not be available.” *Id.*

*Bixler does not teach executing an application in a screen saver mode*

The Office Action misreads Bixler, ignores its teachings for how screen saver data is accessed by the screen saver utility, and draws unsupported conclusions therefrom. Bixler clearly teaches that the screen saver control program 100 *itself* acquires, organizes and displays data in a screen saver mode, rather than executing other applications to display the data. This is accomplished via its modules 104-111 (Fig. 1) and its display/interface routines of Figs. 5A-5D. “Display/Interface routines, described below with respect to FIGS. 5A-5D, *constitute part of control program 100 and provide the functional steps* necessary for managing information by automatically *acquiring, storing and displaying* selected information during a ‘screen saver’ mode of operation in accordance with selected criteria input by the user during a set-up mode of operation.” Emphasis added. Bixler, col. 5, lines 54-60. The data displayed in Bixler may have originally been created by another program or taken from a program, such as an email application that stores email data in a particular folder accessible by the screen saver program. However, the screen saver program 100 of Bixler directly accesses the data to display it without executing the application associated with the data.

Notably, the Bixler screen saver utility relies upon various ‘modules,’ which are part of the screen saver control program, to access data and to generate screen saver views. Thus, in the email scenario referred to in the Office Action, the e-mail programs interface module 104 (*see* Fig. 1) portion of the screen saver program retrieves e-mail data (*see id.* and col. 10, lines 37-47). Although the data retrieved by the module may be “stored in the external email ... program[.]” (*id.* at lines 45-46), *the module accesses the data* and generates displays therefrom rather than executing the email program. “These files and data are retrieved from the local files stored on the user’s computer.” *Id.* at col. 9, lines 38-40. In the example of Fig. 5D, Bixler teaches that, based on setup criteria previously entered, the screen saver utility program “is used *to access and retrieve* the various external e-mail, appointment, or task *data* in step 533. ... This information *is stored* in the external e-mail, appointment or task programs and *is accessed for display* in the pre-selected sequence, as defined in the program set-up module.” Bixler, col. 10, lines 37-46.

Clearly, accessing data of another program is quite different from instructing the other program to display that data.

Bixler teaches that the screen saver utility program accesses data stored in other programs, but does not teach or imply activating or executing these other programs. Indeed, as correctly stated in the Office Action at page 4, “the screen saver program [of Bixler] will run even without the at least one application (i.e., it is not dependent on the application).” This is because the screen saver program of Bixler accesses data associated with the other applications, but does not rely upon executing the other applications to display images associated with the data.

Indeed, Bixler doesn’t simply fail to teach the subject matter of executing an application in a screen saver mode based on instructions from the screen saver program as recited in claim 1. Bixler actually teaches away from the subject matter of executing applications to create screen saver images. In the Background of the Invention, Bixler teaches against the use of multiple programs to display disparate types of data. For instance, Bixler states that the use of multiple programs “presents a problem in that the user must routinely reactivate each individual software utility application each time access or display of particular information is desired.” Bixler, col. 1, lines 55-58.

To overcome the identified problem, Bixler provides “a computer program product and software utility application ... that operates as a ‘screen saver’ type application that allows a user to integrate and display a variety of different types of information acquired from a variety of local and remote sources such as, for example, e-mail, personal appointment reminder and calendar applications, task-scheduling applications and other conventional software utility applications.” Bixler, col. 2, lines 30-39. An illustration of this principle provided by Bixler is a scenario in which a single page displays “information *compiled by different* utility programs.” Bixler, col. 3, lines 35-36. In this example, Bixler states, “multiple e-mail programs can be identified and information from multiple programs can be displayed on a single or sequential display page(s). In this way, a user can monitor e-mail from various sources *without having to activate separate e-mail programs.*” Emphasis added. Bixler, col. 3, lines 38-42.

Clearly, Bixler does not teach or imply the subject matter of executing an application in a screen saver mode based on instructions from the screen saver program as recited in claim 1. For

at least this reason, Appellants respectfully submit that claim 1, and claims 2-13 depending therefrom, are allowable over Bixler.

B. Claims 14, 24, 29 and 34

As discussed above with respect to independent claim 1, Bixler fails to teach the subject matter of executing an application in a screen saver mode. In addition, Bixler fails to teach selection of an application handle by a screen saver program that executes an application in a screen saver mode, as recited in independent claims 14, 24, 29 and 34.

The Office Action points to Bixler, col. 2, line 32 – col. 3, line 12 to support its assertion that Bixler teaches selection of a handle for an application by a screen saver program to execute the application in a screen saver mode. The Office Action further relies upon Bixler, col. 7, lines 32-55, and its examples for displaying web site data, to support this assertion. However, this is in an incorrect reading of Bixler.

Rather than storing handles for executing applications, Bixler teaches a “local resident database” that contains “data compiled by conventional utility programs resident on a personal computer system” (col. 5, lines 62-64) or “source identification (e.g., location address) information” (*id.* at lines 65-66). Bixler provides many examples of the types of data/source address information stored in the database. None of the examples teach or suggest a handle for executing an application. This is consistent with Bixler’s teachings of a single screen saver program, as discussed above for claim 1, which interfaces with various types of data via its modules to create screen saver images, rather than executing an application to generate them. This data and information is stored in the local resident database and is directly accessed by the screen saver program, or it is accessed via source identification in the database “by the Utility Programs Interface module/routine (FIG. 5D) portion of the control program 100” (col. 5, line 67-col. 6, line 1).

Bixler clearly does not teach the subject matter of selection of an application handle that executes an application in a screen saver mode as recited in independent claims 14, 24, 29 and 34. Accordingly, Appellants respectfully submit that claims 14, 24, 29 and 34, and claims 15-23, 25-28 and 30-33 depending therefrom, are allowable over Bixler.

C. Claims 1, 14 and 34


Independent claims 1, 14 and 34 each recite the subject matter of an application (independent from the screen saver program) that *creates* an image for presentation on the display screen in the screen saver mode. Bixler clearly teaches that “portions of control program 100 ... produc[e] a bit-mapped or other ‘screen-saver’ image window or ‘page’ on the display device” (col. 7, lines 21-23), rather than having other application(s) produce the images. For this additional reason, Appellants respectfully submit that claims 1, 14 and 34, and claims 15-23, 25-28 and 30-33 depending therefrom, are allowable over Bixler.

**Conclusion**

For all of the foregoing reasons, Appellants respectfully submit that the final rejections of claims 1-34 are improper and should be reversed.

Respectfully submitted,

Date: May 13, 2005

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**VIII. Claims appendix**

Claim 1 (Previously Presented): An apparatus for displaying screen saver views managed by a screen saver program and generated by a computer application operating in a screen saver mode, the computer application being an independent program from the screen saver program, the apparatus comprising:

- a storage medium;
- a carousel stored in the storage medium;
- a processor coupled to the storage medium that performs the following steps:
  - (a) monitoring the apparatus for detecting inputs from a command entry device;
  - (b) determining whether a timeout period of inactivity from the inputs has been exceeded;
  - (c) in response to step (b), starting the screen saver program; and
  - (d) executing the application in the screen saver mode based on instructions from the screen saver program, the application being a program independent from the screen saver program that is fully functional in a full application mode and that is less than fully functional in a screen saver mode, the application creating an image for presentation on a display screen in the screen saver mode.

Claim 2 (Original): The apparatus of claim 1, wherein the apparatus comprises a wireless communication device.

Claim 3 (Original): The apparatus of claim 1, wherein the apparatus further comprises a carousel stored in the storage medium, and an application handle stored in the carousel, the handle being associated with the application and executing the application in the screen saver mode.

Claim 4 (Original): The apparatus of claim 3, wherein the carousel comprises a database stored in the storage medium containing the application handle and rules for selecting the application handle.

Claim 5 (Original): The apparatus of claim 4, wherein the rules are definable by a user of the apparatus.

Claim 6 (Original): The apparatus of claim 4, wherein the rules comprise default rules.

Claim 7 (Original): The apparatus of claim 4, wherein the database further contains application execution parameters associated with the handle, wherein the application is executed in the screen saver mode according to the parameters associated with the handle selected for executing the application.

Claim 8 (Previously Presented): The apparatus of claim 7, wherein the application additionally has another handle comprising different execution parameters.

Claim 9 (Original): The apparatus of claim 1, wherein the apparatus is in communication with a network and displays current information generated by the application operating in the screen saver mode based on data received from the network.

Claim 10 (Original): The apparatus of claim 9, wherein the images are continually updated in response to data received from the network.

Claim 11 (Previously Presented): The apparatus of claim 1, wherein the processor further performs the step of (e) executing at least one additional application in a corresponding screen saver mode, the at least one additional application being a program that is fully functional in a corresponding full application mode and that is less than fully functional in a corresponding screen saver mode, the at least one additional application creating images for presentation on the display screen in the corresponding screen saver mode.

Claim 12 (Previously Presented): The apparatus of claim 11, wherein the processor cycles between performing steps (d) and (e) according to an order.

Claim 13 (Original): The apparatus of claim 12, wherein the order comprises rules for scheduling the execution of applications in their respective screen saver modes.

Claim 14 (Previously Presented): A wireless communication device, comprising:

- a receiver;

- a memory storing data;

- a display screen;

- at least one application stored in the memory having at least one handle executing the at least one application in a screen saver mode when the at least one handle is selected, the at least one application creating images for presentation on the display screen in the screen saver mode; and

- a screen saver program stored in the memory that, during operation of the screen saver program, selects the at least one application handle, the screen saver program being an independent program from the at least one application.

Claim 15 (Original): The wireless communication device of claim 14, further comprising a carousel containing the at least one application handle.

Claim 16 (Original): The wireless communication device of claim 15, wherein the carousel comprises a database stored in the memory containing the at least one application handle and rules for selecting the at least one application handle.

Claim 17 (Original): The wireless communication device of claim 16, wherein the rules are definable by a user of the communication device.

Claim 18 (Original): The wireless communication device of claim 16, wherein the rules comprise default rules.

Claim 19 (Original): The wireless communication device of claim 16, wherein the database further contains application execution parameters associated with the at least one handle, wherein the at least one application is executed in a screen saver mode according to the parameters associated with the at least one handle selected for executing the at least one application.

Claim 20 (Previously Presented): The wireless communication device of claim 19, wherein the at least one application additionally has another handle associated with the at least one application, the another handle comprising different execution parameters.

Claim 21 (Original): The wireless communication device of claim 14, wherein the at least one application comprises a network application creating images responsive to data received during operation in the screen saver mode.

Claim 22 (Original): The wireless communication device of claim 21, wherein one of the parameters associated with the network application is a uniform resource locator (URL).

Claim 23 (Previously Presented): The wireless communication device of claim 14, wherein the at least one application is written in a JAVA programming language.

Claim 24 (Previously Presented): A method of creating screen saver displays on a display device, the device having a display screen, a storage medium, a screen saver computer program stored in the storage medium, a screen saver carousel stored in the storage medium, and an application stored in the storage medium that is fully functional in a full application mode and less than fully functional in a screen saver mode, the application being a program that is independent from the screen saver program, the method comprising the steps of:

adding an application handle to execute the application in the screen saver mode to the screen saver carousel;

starting the screen saver program in response to exceeding a timeout period of inactivity;  
and

selecting the application handle via the screen saver program to execute the application in the screen saver mode.

Claim 25 (Original): The method of claim 24, further comprising the following steps:  
installing the application on the display device; and  
selecting an option for the application to operate in the screen saver mode.

Claim 26 (Original): The method of claim 24, wherein the application is pre-installed on the device, further comprising the following steps:  
executing the application in a full application mode on the display device; and  
selecting an option for installing a screen saver mode for the application to operate in the screen saver mode.

Claim 27 (Original): The method of claim 24, further comprising the steps of:  
monitoring the display device for a timeout signal that the application has exceeded a time period allotted for operation in the screen saver mode; and  
in response to detecting the timeout signal, if another application has been configured to operate in a screen saver mode, executing another application in a screen saver mode associated with the another application.

Claim 28 (Original): The method of claim 24, further comprising the steps of:  
monitoring the display device for an input signal from a command entry; and  
if a signal is received from the command entry device after the application has been executed, determining whether the executed application operating in the screen saver mode is an interactive application; and  
if the executed application is an interactive program, terminating the screen saver program, and  
executing the interactive program in a full application mode.

Claim 29 (Previously Presented): A computer readable medium having computer-executable instructions for performing steps comprising:

monitoring activity on a device having a display screen;

determining whether a timeout period of inactivity on the device has been exceeded;

starting a screen saver program;

evaluating whether a screen saver carousel contains application handles, each of the application handles executing a respective application in a screen saver mode when selected by the screen saver program, the application being an independent program from the screen saver program; and

if the carousel contains at least one application handle, and if the timeout period has been exceeded, selecting the at least one application handle to execute the respective application.

Claim 30 (Original): The computer readable medium of claim 29, wherein the activity being monitored is the detection of input signals from a command entry device in communication with the device, the steps further comprising:

if a signal is not received from the command entry device, if a timeout period for operation of the respective application is exceeded, and if the carousel contains more than one handle,

selecting a different handle to execute another respective application associated with the different handle.

Claim 31 (Original): The computer readable medium of claim 30, wherein the respective application associated with the at least one handle and the respective application associated with the different handle are the same application configured for operation in different screen saver modes depending on the handle selected.

Claim 32 (Original): The computer readable medium of claim 30, wherein the respective application associated with the at least one handle and the respective application associated with the different handle are different applications.

Claim 33 (Original): The computer readable medium of claim 29, wherein the activity being monitored is the reception of input signals from a command entry device in communication with the device, the steps further comprising:

if a signal is received from the command entry device after the respective application is executed, determining whether the respective application currently operating in the screen saver mode is an interactive application; and

if the respective application is an interactive program,

terminating the screen saver program, and

executing the respective interactive program in a full application mode.

Claim 34 (Previously Presented): A portable device comprising:

a display screen;

a memory;

a command entry device;

a computer application stored in the memory, the application having at least one handle executing the application in a screen saver mode when the at least one handle is selected, the application being a program that is fully functional in a full application mode and is less than fully functional in a screen saver mode, the application creating images for presentation on the display screen in the screen saver mode;

a different computer application stored in the memory having at least one different handle executing the different application in a different screen saver mode when the at least one different handle is selected;

rules stored within the memory for determining the scheduling for selecting the at least one handle;

parameters stored within the memory associated with the at least one handle for controlling operational aspects of the application;

a screen saver program stored in the memory selecting the at least one application handle during operation of the screen saver program according to the rules, the screen saver program being a program that is independent from the computer applications; and

a processor coupled to the memory that performs the steps of:

monitoring the device for detecting inputs from the command entry device;  
determining whether a timeout period of inactivity from the inputs has been exceeded;  
in accordance with instructions from the screen saver program, selecting the at least one application handle stored in the carousel;

if a signal is not detected from the command entry device since the period of inactivity was exceeded, and if a timeout period for operation of the application is exceeded, selecting the different handle to execute the different application associated with the different handle in its respective different screen saver mode;

if a signal is detected from the command entry device since the period of inactivity was exceeded, determining whether the executed application operating in the screen saver mode is an interactive application; and

if the executed application is interactive,  
terminating the screen saver program, and  
executing the executed interactive program in a full application mode.

Claim 35 (Previously Presented): The apparatus of claim 1, wherein, prior to performing step (d), the processor performs further steps comprising:

(f) executing the application in a full application mode in response to user selection of the application; and

(g) adding an application handle to the carousel in response to user selection of a screen saver mode option presented by the application while in full application mode.

Claim 36 (Previously Presented): The wireless communication device of claim 14, wherein the at least one application includes one or more screen saver mode options selectable by a user when operating the at least one application in a full application mode, the screen saver mode options including a level of functionality that is less than the functionality of the full application mode.



Claim 37 (Previously Presented): The method of claim 24 wherein, prior to the steps of adding, starting and selecting, the method further comprises:

executing the application in a full application mode in response to user selection of the application; and

adding an application handle to the screen saver carousel in response to user selection of a screen saver mode option presented by the application while in full application mode.

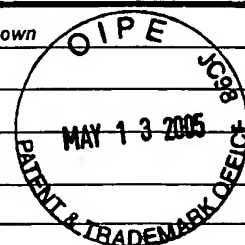
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL  
for FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$500.00)

Complete if Known

Application Number	10/092,261
Filing Date	March 7, 2002
First Named Inventor	Mikko Makipaa et al.
Examiner Name	S. Becker
Art Unit	2173
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**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 20 or HP= 0 x 50 =

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 3 or HP= 0 x 200 =

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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1 - 100 = 0 / 50 = (round up to a whole number) x

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Appeal Brief (\$500)

**Fees Paid (\$)**

\$500.00

**SUBMITTED BY**

Signature	<i>Anthony W. Kandare</i>	Registration No. (Attorney/Agent)	48,830	Telephone	202-824-3244
Name (Print/Type)	Anthony W. Kandare	Date	May 13, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/092,261
	Filing Date	March 7, 2002
	First Named Inventor	Mikko Makipaa et al.
	Art Unit	2173
	Examiner Name	S. Becker
Total Number of Pages in This Submission	Attorney Docket Number	004770.00042

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Anthony W. Kandare, Registration No. 48,830
Signature	
Date	May 13, 2005

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